

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**CITIFINANCIAL MORTGAGE COMPANY,)
INC., n/k/a CITIMORTGAGE, INC.,)**

Plaintiff,)

v.)

ALPHA SMITH and VERA M. SMITH,)

Defendants.)

**CIVIL ACTION NO.:
CV: 3:06cv899-MHT**

NOTICE CONCERNING SETTLEMENT CONFERENCE AND MEDIATION

COMES NOW plaintiff CitiFinancial Mortgage Company, Inc. n/k/a CitiMortgage, Inc. ("CitiFinancial"), pursuant to the Scheduling Order entered by this Court and hereby submits this Notice Concerning Settlement Conference and Mediation.

Although the parties have not reached a settlement in the above-captioned matter, the parties believe that mediation may be helpful in resolving this matter short of trial. Accordingly, the parties have scheduled a mediation in an attempt to resolve this matter and the underlying action pending in the Circuit Court of Macon County, Alabama. The mediation is scheduled for Monday, September 24, 2007, at the offices of attorney Michael B. Maddox of Sirote & Permutt in Birmingham, Alabama.

Respectfully submitted,

s/ Alan D. Leeth

Reid S. Manley (MAN039)

Alan D. Leeth (LEE038)

Elizabeth B. Shirley (BOS018)

Attorneys for Plaintiff

CITIFINANCIAL MORTGAGE COMPANY, INC., N/K/A
CITIMORTGAGE, INC.

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of August, 2007, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to all properly registered parties and to the extent they are not registered with the Court's ECF system, they have been served by directing same to their office addresses via first-class, United States mail, postage prepaid:

Tyrone C. Means
Charles James, II
Thomas, Means & Gillis & Seay, P.C.
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Montgomery, Alabama 36103-5058

s/ Alan D. Leeth

OF COUNSEL